

FILED

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5:24-cv-209

Bailey | Mazzone

U.S. DISTRICT COURT- WVND
WHEELING, WV 26003To the Circuit Court of Tyler County,
State of West Virginia.

Date: 10-24-2024

John Brian Shepherd

I.D. 3665189

Case # 21-F-21

'Affidavit of Truth'
'Judicial Violations of
Constitutional Rights''Hereby Entered as Evidence'
'Hand Delivered to Court and
OR delivered By the United
States Postal Service:'C.C. Courtesy Copies Sent to;

1. The Honorable Fredrick P. Stamp Jr.
2. The Honorable John Preston Bailey,
US District Court Judge
3. The Federal Bureau of Investigation,
'Report Filed, Oct. 18, 2024,
4. News Stations,
5. C.C.R. Judge Jeffrey D. Cramer,
ON 10-22-2024 Refused Document
and threw me out of the Court Room.
6. West Virginia State Bar
Note: "Malicious Prosecution", and
"Ineffective Assistance of Counsel"
"Counsel's Conduct Abusive"

the Circuit Court of Tyler County, State of West Virginia. Is Guilty of Committing Judicial Violations of the United States Constitution of America, As Ratified on December, 15th, 1791, To Include the Bill of Rights, Controlling Law and Mandatory Procedures; Article VI Sec. 1 (2) Supremacy Clause, Article VI Sec. 1 (3) Oath of Office, Article III Sec. 3 (1) Treason, Amendment 14, Sec 3 Treason, Article I Sec. 10 (1) Contracts, Article III Section 2 (3) Jury, All In Violations of Plaintiffs Due Process, Plaintiffs ask Court for Representation of Constitutional Lawyer and was Denied of Constitutional Right, and also Denied Equal Protection to and under Articles, 1st, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 13th, and the 14th Amendments, or Articles, Constitutional" Bill of Rights" Violations with Lack of Subject Matter Jurisdiction, Pursuant and under c.f. 42 USC, 1983 et. seq Conspiracy c.f. 42 USC. 1985 et. seq Statute c.f. 18 USC. 242 et. seq. Statute c.f. 18 USC 241 et. seq. Extrinsic Fraud Judicial Malfeasance

Conspiracy Against Rights, Deprivation of Due Process, Conspiracy, Fraud upon the Court, Judicial Obstruction of Justice c.f. 18 USC. 2 Principles c.f. 18 USC. 1503, Attempted Extortion Under, Color of Official Right, c.f. 18 USC. Sec 1951 (b) (2), Action for Neglect to Prevent c.f. 42 USC 1986 et. seq. Intentional Inflection of Emotional Distress, All Effecting Equal Protection to Redress, Freedom of Speech, Freedom of Association To the Right of Constitutional Counsel, Reasonable Access to the Courts.

Cruel and Unusual Summary Judgement Punishment, Abuse of Process. Interference with Contract Rights - 'wet Ink Contract', Kidnapping Bribery - Blackmail, Extortion, Threats, Assault, All Resulting in very clear violations, the Record stands clear.

All who violated my flesh and blood, under the Divine Protection of God, In the Surity of Christ, Constitutional Rights, All Deserve Federal Prison Time for your Acts of Criminal Capital Felony-treason.

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1. Criminal Capital Felony Treason,
Title 18 Sec. 2381 Federal Law,
'when in the Presence of two witnesses
to the same overtact, or in an open Court
of Law, 'If you fail to timely move to
Protect and Defend the Constitution of the
United States and Honor your 'Oath of
Office'; you are subject to the Charge
of Capital Felony Treason, and upon
conviction, you will be taken by the
Posse to the nearest and busy intersection
and at High Noon, Hung by the Neck
until dead and your Body will remain
static overnight. To Remind all those
who would take the "Oath of Office
Lightly."

2. Article VI Supreme Law, Clause 2,
Supremacy Clause,
- 'The Constitution and the Laws within'; -
'The Constitution and the Laws of the United
States which shall be made in Pursuance
thereof; and all Treaties made, or which
shall be made, under the Authority of the
United States, shall be the Supreme
Law of the Land and the Judges in
every State shall be bound thereby,
Anything in the Constitution or Laws

of any State to the contrary is not
With Standing.

3. Title 18 USC Sec. 242, The United States Department of Justice, "Deprivation of Rights Under the Color of Law": Section 242 of Title 18 makes it a crime for a person Acting Under the Color of Law to willfully Deprive a person of a right or Privilege protected By the Constitution or Law of the United States.

4. See, Marbury vs. Madison. U.S. 5, 137, 1803.
'No Provision of the Constitution is designed to Be without effect.'
'Anything that is in Conflict, Is null and void of Law.'

Clearly, for a Secondary Law to Come In Conflict with the Supreme Law was Illogical. For Certainly the Supreme Law would Prevail over all Laws and Certainly our forefathers had intended that the Supreme Law would Be the Basis of all Law. It would Bare no Power to enforce, It would Bare no obligation to Obey, It would purport to Settle as if it had never existed. For Unconstitutionally

would date from the enactment of such a law, not from the date Branded in an open Court of law. 'No Courts are Bound to uphold it, and 'no Citizens are Bound to Obey it, It Operates as a Near Nullity or Fiction of law. If any Statement within any law is unconstitutional By Marbury vs. Madison.

5. The Government has no legitimacy without the Material evidence that the 'governed' have given their Consent By Way of 'wet Ink Agreement' Contract, Between the Office of the Judiciary and that the governed have given their Consent.

6. Any Action taken By way of Act or Statute is a Criminal Offence of 'Fraud'. The Judiciary is Nothing More than a Sub Office of a Commercial Body, which the United States is a Commercial Body, 'a Federal Corporation' 'Listed under the following Code as a Corporation, 28 USC. 3002.

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7. the Actions of the State are unconstitutional and a Criminal fraternity. Capable of highness of Crimes without Measure. ' All documents Must Be Signed By Human hand and In "Wet Ink By a Named Authoritative Living Being who takes full Responsibility for the Content of that document Agreeing to Be Governed.' Any deviation from this standing process where a Signature of 'Wet Ink' By living hand with Authority to do so will Be Recognized as a Criminal Offence.
8. I John Brown Shepherd have filed over 100 pages of legal filed documents with the Circuit Court of Tyler County Months ago, that States lawsuits filed in Charlestown, wa against the Circuit Court of Tyler County and also Violations of my Constitutional Rights. All Claims have Been Ignored, Including multiple filed documents Challenging Jurisdiction, also Ignored. ✓ "Malicious Prosecution".

Once Jurisdiction is Challenged, the Court without Personal Jurisdiction over the defendant is Void, It is a Nullity,

See; SPAMEK v. SPAMEK, 17 Kan App. 2d 573, 576, 7, 840 P.2d 553 (1992)

• Jurisdiction, One can Only Claim Jurisdiction over that which one Creates. The State did not Create Man, We Serve God who created US. 'Amen'.

Also, I have filed with the Circuit Court of Tyler County, and the Prosecutor's office in Tyler County, Luke D. Turbee, the Same. I have filed over 100 pages of Documents Concerning my Case; These Documents were filed in June, July, Aug of 2024, and all Documents have been Ignored, In these documents I have Challenged Jurisdiction of the Court, and also I have been Ignored, I have filed the Same with Charleston Sec. of State, and in Washington D.C. as well.

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Treason, Res ipsa loquitur
Title 18 Sec. 2381 'Federal Law'

I do hereby Swear that under the
Penalty of Perjury, these Statements
and Claims are True and Just.

I, John Brian Shepherd, a Living
Man, Flesh and Blood, under the
Divine Protection of God, In the
Surety of Christ.

By John Brian Shepherd Date, 10-24 2024
JOHN BRIAN SHEPHERD

The foregoing Instrument was
Acknowledged Before me this _____ Day
of _____ 2024.

My Commission Expires:

Notary Public,

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Date: 10-24-2024

' Affidavit Of Truth'

The Public Defender, Lawyer Dean Williams from Wheeling, WV, made a personal visit on Oct 13th, 2024, to U.R.T. to talk with me. He said that your Mother was indicted for assisting you when you cut off the Monitor. For all Charges, I

have an offer on the table for 10-15 years, But I can do Better for you. What do you want to do?

I said, I'm Innocent, No Plea!

then the Conversation went Ugly, He Became Very upset with me, I was kind to him. But he said

the following:

If You Don't sign the Fu-King Plea the Prosecutor is going to put your Mother in jail! then He said, I Don't Need to Help You; After you fired me, 'After that thing in Tyler County, I told a few People, that soon as I come up with the Money, and I will! I'm going to have you killed !!! I Fu-King Hate you! I'm Only here Because

the judge won't let me out of the case, and I don't give a fu-k how it goes, One way or the Other!

Williams said, I have a health thing going on with my eye, I get shots in my eye every 8 weeks, I hate to take treatment and I don't give a fu-k about Being a Lawyer!!! I'm going Back to teaching Golf! There is no money in Being a Lawyer, this is my last case. "Look" I'm not doing this anymore. Let them Dis-BAR me, who gives a fu-k!

I'm Opening up a Range, working on it Now! Fu-k Being a Lawyer!

Your Mother is going to jail
If you don't Sign a Plea,
I have to go, I might Come Back,
I don't fu-king know!!!
and Slammed the Door.

Then On Oct 16th, 2024 around 7 PM. Dean Williams came to the Northern Regional Jail to talk to me, when I was Brought to the Room where he was waiting for me, the following happened. Williams had documents

On the table and said to me in a Rough Voice, 'You know! I didn't have to Fu-king Come here as he looked down at his watch!

'I have a Plea for you, I can't Believe I have a Plea like this!

I asked? what does it Say? Well, Williams said, I'll tell you! It's for 114 years, I think that's great for you! I said what!? What happened to doing Better than the 10 to 15 you told me? Maybe 1 to 5 OR Something else?

"Then Williams yelled at me, "Acting Violent" and Said, "Look"! what the Fu-K!!!

Are you going to let your Mother go to jail? I talked to the Prosecutor and Hes putting your Mother in jail on Tuesday!! If you don't sign the Fu-king deal!

'What kind of Fu-king Piece of Shit are you to Put your Mother in jail!!! Williams Stood up to leave, "Yelling" Look" I'll just write on this that you "Refused" you won't get another one —

Well, I would like to read it at least" I started Reading it, I said to Williams, this is not what you just told me!

"He Responded Violently" and Said "WELL Fu-K"!!!
"Sign It" He Demanded!!

"Sign It" OR your Mother goes to Prison! I am Scared of him, He's Acting Crazy!

I am trying to read the Papers and Williams is telling me, He's going to Leave Now, "Sign It",

I said to Williams, what does this say here? what does this Mean? He Said "Look" I have to go and I'm not Coming Back Ever!

What are you doing when Your Mother gets to jail, People are going to Beat Her up Because of You, Probably Kill Her!

"He screamed at me and Said this! I said to Sign the Fu-King Paper! He Said, I have to go and I'm not Reading it to you, and I'm not Explaining Shit! there it is!

You are going to let your Poor Mom
Die in Jail, what Kind of Piece of
Shit are You? Cut your fu-king
wrists, I would Before I sent my
Mother to Jail - then He Started
gathering up everything again
and Violently Screams!

"Saw the fu-king thing"
So in fear of my life and His
Being Crazy, I did, I still don't
know what it says.

I Believe Williams to Be Very
unstable; I don't want him to come
see me anymore, I don't want
any contact with him ever!

I am in fear of my life now.
Even More, Because Williams is
hiring Someone to Kill me!

John Benji Shykes